

State Capitol News

SUIT OVER SALE
OF STATE LANDSBuyer Objects to Reser-
vations of Oil and Gas
Rights

SANTA FE, N. M., Jan. 26.—The first suit in the United States district court to question the right of state of New Mexico to sell, or contract to sell, state lands, with mineral reservations, including oil and gas, has been filed by Spencer M. Osborn, of El Dorado, Ark. Mr. Osborn holds 840 acres of state land in Union county, under contract to purchase. He declares that Land Commissioner Nelson A. Field refused to issue a deed without making a mineral reservations clause, after a tender of the balance of the contract price had been made.

After the land contract had been made with Mr. Osborn, he says, the state took other land which is described as a "preexisting" oil and gas lease, to the same land, to the Northeastern New Mexico Oil company. Mr. Osborn asks the court to declare this oil and gas lease to be void. His attorney is Crampton, Phillips and Darden, of Raton; H. H. Woodward of Clayton; E. R. Wright of Santa Fe.

A similar suit has been filed by Mr. Osborn in the district court here before Judge Reed Holloman. In the suit in the state district court petition was made for an alternative writ of mandamus to compel the land commissioner to issue a deed without the mineral reservations. On the show made the writ of mandamus was granted, the suit to appear at 10 a.m. Feb. 14 and show cause why he should not have a deed without reservations. The attorney general of New Mexico will represent the land commissioner in both suits and probably will be assisted by special counsel.

This is the second suit to test the validity of the sale of state lands with mineral rights to state land with reservation of mineral rights, that has been filed in the state district court here. Judge Holloman has had the other suit under advisement since it was argued and submitted in the latter part of November.

Water Suit Filed.

A water suit has been filed by the residents by the Rio Grande and that may require 10 years to adjudicate has been filed in the United States district court at Santa Fe and will give Judge Cain Neblett opportunity for an unlimited amount of thought and study.

The suit is what is described as a "flood suit," and is to decide the apportionment of the water rights of every user of water from the Pecos river and its tributaries from the headwaters of the stream, in San Miguel county, right to the point in Eddy county where the river flows into the state of Texas. The title of the case is the United States versus The Rio Grande and its tributaries. The suit is brought on behalf of the United States, restoration service, which is interested in the adjudication of the water rights of the Colorado project, in Eddy county. There are more than 2,000 persons named as defendants to the suit.

It will be necessary to make hydrographic surveys before there can be any reliable determination of the right of many of the defendants. The force of the state engineer of New Mexico may make the hydrographic survey that will be required. Counsel for the United States will be Summers Burkhart, U. S. district attorney; J. O. Roth, assistant to Mr. Burkhart; and Mr. Porter W. Dean, of Clayton. The case cannot be decided for the next year.

Auto Show Date Changed.

In order to line up with the Albuquerque Automobile show, that will be held on March 4, 5 and 6, it has been decided to postpone the capital city's first automobile show until March 11, 12 and 13. This will enable the exhibitors from all states to transfer their cars, supplies and accessories to Santa Fe and get everything in readiness for the Santa Fe opening, after the close of the Albuquerque show. The Chamber of Commerce committee in charge announced that practically all of the reservations have been made.

New Officers for Bank.

At the 10th annual meeting the stockholders of the Capital City Bank, after the sale of the controlling interest by Albuquerque to Santa Fe interests, the following directors were elected: William Brachman, Victor Lujan, C. G. Macbeth, L. L. Ormebee, T. G. Winter, E. R. Wright. Mr. Macbeth advanced from vice president to the president, Mr. Winter is made vice president and Mr. Ormebee is reelected cashier.

Power Company Dissolves.

The Gila River Power company, of Grant county, has filed notice of dissolution of the corporation with the state corporation commission. The incorporators signing the Notice are: William H. Murray, The Lyons Service, widow and son; Mrs. Mary Louise, daughter and child of Thomas Lyons. The company was incorporated on Feb. 1, 1919, but never really began business and none of the capital stock was ever paid in.

New Bridge Project.

Plans have been submitted by the state highway commission for the approval of the Bureau of public roads for the construction of a toll bridge across the Colorado river about one mile in length which includes a steel bridge across the Colorado river, at Laramie, in Grant county. It is expected that construction will begin on this project early next spring.

Seeks More Water.

The Stern Land and Cattle company of El Dorado, Dallas county, has made application to the state engineer to appropriate water for one acre and one acre-foot of water from Middle Pecos river, a tributary of Pecos river, in Colfax county. The water will be taken for direct diversion and will be used for irrigation purposes.

Davies Won't Run Again.

Edward P. Davies, mayor of the city of Santa Fe, has announced that he will not be a candidate for election to the city council, which will be held in April. Mr. Davies has served only nine years but does not care to serve another. Up to this time no other candidate, of either party, has shown his hat into the ring. In addition to the mayor, there are to be elected in April four aldermen, a treasurer and a clerk.

British System.

SLOW BUT SURE

LAWSONS.—The British postal system does not go well, but it's sure. The widow of Joseph, Judge of Woodbury Green, has received a post card addressed to him from a cousin in town a mile and a half away. It was posted in 1917. Imagine who was killed in the war.

Stabbed by Maniac



NEW YORK.—Mrs. Elizabeth Perkins, of Hoboken (above), and Mrs. Frances Hyde Zabriskie (below) were two of six victims stabbed by a deranged elevator operator who ran amuck on Broadway recently. Both women were with their husbands when attacked.

What's Doing
Around the State

CROSS CRUCES.—The Dona Ana County Farm Bureau has orders placed for 25,000 pounds of cotton seed to be sold to the cotton planters at \$1.50 per bushel. The amounts are as follows: 10,000 pounds to be obtained in El Paso, 12,000 pounds to be sold in the area, an average of 12,000 from this 25,000 pounds of seed. There will be about 19,000 acres of land in the valley this year and the acreage would be increased if it were not for the impossibility of obtaining sufficient seed.

DEBS MINERS.—Harmon Fox sold the hat of his mountaineer to T. O. James of Guyana, Goldsmiths, when the Fox ranch consisting of 1,500 acres of dredged and state land and houses was acquired for a consideration of \$37,368. This covered the buildings of both Harmon Fox and T. O. Fox, and is one of the best live stock properties close to Deming.

HAGEMAN.—The Hageman Irrigation company has filed notice with the state engineer of their intention to make a formal application for a permit to appropriate four to ten acres of water from the Rio Grande (the original) to the Little Colorado drainage system. The point of entry of the flow is near the center of section 22 in township 11 south. This water is to be used on 10,000 acres having water rights under the Hagerman canal on which cotton is to be planted this year.

ALBUQUERQUE.—What committee to make a hydrographic survey of the water rights in Albuquerque. There are perhaps 2,000 and maybe more, the disease being very bad in the early stages. Several tributaries have been taken with the disease and as usual it is present during the rainy season.

1918 MORTGAGE.—One of the largest real estate deals known in this session in a long time was consummated when Mr. Mack Shaver sold his ranch at Polk to Mr. John P. Wells of Lawrence, Kansas. The consideration was around \$15,000, a consideration that Mr. Wells wanted to pay but Mr. Shaver did not want all the cash. On this the sale went off with great hilarity.

CLOTHES.—What will perhaps be the next step in the movement to build a rural telephone line to the northeast edge of the country from this end? It was started when former members of the legislature were asked to support the bill toward the actual organization of the effort. Under stimulus of the Chaves County Farm Bureau and the chamber of commerce of Clovis the meeting was called to order by W. H. Patterson, president of the former body. Following the announcement of the object of the meeting and the presentation of the joint resolution of the legislature, it was reported that the organization for the building of the rural telephone line to be incorporated under the name of the Chaves County Rural Telephone company, with an authorized capital stock of \$30,000, and a working fund of \$12,000.

Wit and Satire Galore in 'Oh, Boy'

At the Crystal Opera house on Friday, F. Day Comstock and William Elliott will present the fourth of the series of the New York Princesses of Wit and Wisdom, "Oh, Boy," with the book and lyrics by Guy Bolton and P. G. Wodehouse and music by Jerome Kern.

The tremendous success of "Oh Boy" is due to its delightful wit and satire, its dainty production and tuneful melodies.

Bests of the most popular musical numbers are: An Old-Fashioned Song, "I'm Not a Bit Afraid"; Tell Me Why, "Tell the Candy Girl In"; The First Day of May; "Kakadu"; and "Nestling Time" in Flatland.

RHS DAY.

"Times have changed," said the back-packer that was with a group of the members of the Redwood County Agricultural and one acre and one acre-foot of water from Middle Pecos river, a tributary of Pecos river, in Colfax county. The water will be taken for direct diversion and will be used for irrigation purposes.

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School Bond
Election
Tomorrow

TUESDAY.

**POLLS OPEN AT 9 A.M.
POLLS CLOSE AT 6 P.M.**

Be Sure Your Vote Is In.
Make It Unanimous.

The White Rotary Sewing Machine
SOLD HERE ON EASY TERMS.

Call and let us explain to you personally—the many exclusive features of the WHITE MACHINE.

Rosenwald's

SIMMONS BEDS
BUILT FOR SLEEP

We show SIMMONS BEDS in every wanted size and shape.

Be sure to see this line before making a selection.

—the Victor
—the Mandel
—the Columbia
PHONOGRAPHS

May Be Purchased Here on Easy Payments at Convenient Intervals

Visit our Demonstration Room, Third Floor and let us have the opportunity of explaining to you personally just how easy it is to get full pleasure out of one of these standard Phonographs by purchasing the "Easy Payment Way."

**Columbia Records For February
NOW ON SALE**

78356—16-inch Single Disc—\$1.00.

ULLABY from "ERMINE." (Glikowski) Hilda Leishman, Soprano Solo. Orchestra accompaniment.

46116—12-inch Single Disc—\$2.00.

BRIGOLETO.—E. il sol d'annina. (Lotto) Barrientos and Hackett. Soprano and Tenor Duet. Orchestra accompaniment.

46128—12-inch—\$1.50.

POLISH DANCE E FLAT MINOR OP. 3 No. 1. (Schwartz) Solo. Piano Solo. Unaccompanied.

46130—12-inch—\$1.25.

TO THE SPRINGTIME. (Grieg) ONE MORE DAY, MY JOHN. (Sullivan) Chorus. (Glimmer) Perez Galdos. Piano Solo. Unaccompanied.

46132—12-inch—\$1.25.

WILLIAM TELL OVERTURE.—Part 1. (Ostendorff) Columbia Orchestra. Chas. A. Prince, Director.

46134—12-inch—\$1.25.

WILLIAM TELL OVERTURE—Part 2. (Ostendorff) Columbia Orchestra. Chas. A. Prince, Director.

78101—16-inch Single Disc—\$1.00.

CANTA PIÉ ME. (de Curtis) Ricardo Montaner. Baritone Solo. Orchestra accompaniment.

46233—16-inch—\$1.50.

STEL UNDECIDED. (Grieg) Virginia Asher and Homer A. Hodenhauer. Contralto and Baritone duet. Orchestra accompaniment.

WHEN I LOOK IN HIS FACE. (Grieg) Virginia Asher and Homer A. Hodenhauer. Contralto and Baritone duet. Orchestra accompaniment.

46134—12-inch—\$1.25.

WILLIAM TELL OVERTURE—Part 3. (Ostendorff) Columbia Orchestra. Chas. A. Prince, Director.

46136—12-inch—\$1.25.

ASSEMBLY MARCH. (Hager) Columbia Band.

46140—16-inch—\$2.00.

WAR DANCE. (Cherokee Indians) (Skillin) Columbia Orchestra.

46142—12-inch—\$1.25.

ASSEMBLY MARCH. (Hager) Columbia Band.

46144—16-inch—\$2.00.

HAY HARVEST. (Ruskin) Badische Orchestra. R. N. Monroe, Leader.

46146—16-inch—\$2.00.

AT A RUSSIAN INN. (Russian Balalaika Orchestra) P. S. Strelakoff, Leader.

46148—16-inch—\$2.00.

TEMPERAMENTAL RAG. (Dixie) Gilda Davis. Accordion Solo. Unaccompanied.

46150—18-inch—\$2.00.

LOLY ONE STEP. (Dixie) Gilda Davis. Accordion Solo. Unaccompanied.

46152—16-inch—\$2.00.

LASSUS TRUMONE. (De Colli) Velt. to Miss Trumone. (Filmora) Columbia Band. Chas. A. Prince, Director.

46154—16-inch—\$2.00.

MY BABY'S ARMS. (From "FOLLIES OF 1918") (Fox Trot) McFarley and Thorne. Art Hickman's Orchestra.

46156—16-inch—\$2.00.

ON THE STREETS OF CAIRO. (Chattanooga) One Step. Art Hickman's Orchestra.

46158—16-inch—\$2.00.

PIEGY. (Miles and Williams) Fox Trot. Art Hickman's Orchestra.

46160—16-inch—\$2.00.

TELL ME WHY. (Those) Fox Trot. Art Hickman's Orchestra.

46162—16-inch—\$2.00.

JUST FOR ME AND MAH. (Edwards) Harry Burr. Tenor Solo. Orchestra accompaniment.

46164—16-inch—\$2.00.

AMONG THE WHISPERING PINES. (Gentry) Harry Burr. Tenor Solo. Orchestra accompaniment.

46166—16-inch—\$2.00.

I KNOW WHAT IT MEANS TO BE LOVING. (Kemble) Brockman and Vincent. George Meader. Tenor Solo. Orchestra accompaniment.